

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DENNIS WIESE,

Defendant.

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CASE NO. 8:09CR29

ORDER

This matter is before the Court on the Defendant's motion for leave to appeal in forma pauperis (Filing No. 92).

The Court denied the Defendant's § 2255 motion and his motion for a certificate of appealability. Now the Defendant filed a notice of appeal with respect to the Court's Memorandum and Order and Judgment denying the § 2255 motion. Because a notice of appeal from that decision is improper, the motion for leave to appeal in forma pauperis is denied.

IT IS ORDERED:

1. The Defendant's motion for leave to appeal in forma pauperis (Filing No. 92) is denied; and
2. The Clerk is directed to mail a copy of this Order to the Defendant at his last known address.

DATED this 11th day of October, 2011.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge